

REMARKS/ARGUMENTS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action. Applicants also wish to thank the Examiner for considering all of the materials cited in the Information Disclosure Statement filed in the present application on March 6, 2009, and most of the materials cited in the Information Disclosure statement filed in the present application on February 8, 2006, by the return of the signed copies of the Forms PTO-1449 attached to the Official Action.

With regard to the Information Disclosure Statement filed February 8, 2006, it is noted that the Examiner asserted that Information Disclosure Statement fails to fully comply with 37 C.F.R. § 1.98(a)(2), since a copy of the listed non-patent literature “Encryption and Authentication Specification”, Version 1, (March 3, 2004), Internet Streaming Media Alliance, was not provided. The Examiner’s attention is drawn to the Information Disclosure Statement filed February 8, 2006, wherein Applicants indicated that a copy of the cited document was not being provided since this document was not readily available to Applicants, and that Applicants presumed that a copy of this document was being provided to the U.S. Receiving Office by the International Searching Authority (ISA). Thus, Applicants respectfully request that the Examiner verify whether or not the ISA has provided the cited document, and provide an indication thereof in the next Official communication. If the ISA has not provided a copy of the above-cited document, then Applicants will attempt to obtain a copy.

Applicants note that on June 15, 2009, Applicants filed a Supplemental Information Disclosure Statement in the present application, which was after the June 10, 2009, notification date of the Official Action. Applicants respectfully request that the Examiner consider the

materials cited in the Supplemental Information Disclosure Statement, and provide an indication thereof in the next Official communication.

Applicants also note that the Form PTOL-326 did not provide an indication regarding the acceptability of the drawings. Since Applicants believe that the drawings are acceptable, Applicants will proceed accordingly, unless notified otherwise by the Examiner in the next Official communication.

In the Official Action, the Examiner asserted that the disclosure of Applicants' Japanese priority Application No. 2003-131372 fails to provide adequate support for one or more claims in the present application. More particularly, the Examiner asserts that Applicants' Japanese Application No. 2003-131372 does not describe that the ISMA media stream has an ISMA header.

Applicants respectfully submit that Applicants have used the English language expression "ISMA header" in the present application merely as a general expression to refer to the information that is provided before the ISMA protected media payload is received and processed, and has no other particular specific meaning. See Applicants' Figures 4-5 in the present application. Applicants also submit that it is inherent that an ISMA media stream contains such signaling information before the ISMP protected media payload is received and processed. Applicants also submit that such "ISMA header" information, which is provided before the ISMA protected media payload, includes the IPMP tool list descriptor and the IPMP descriptor(s) (pointers).

Applicants respectfully submit that this basic concept is similarly described throughout Applicants' priority document, wherein this information is embedded in the beginning of the ISMA media stream to signal that the subsequent stream is protected, and by which tool it is

protected. See, for instance, translated Sections 3.4 and 3.5 of the priority document. Applicants submit that the use of the expression “ISMA header” is merely a convenient English language way of describing what is already disclosed in Applicants’ Japanese Application No. 2003-131372 A. Thus, Applicants also submit that Applicants’ priority document does provide the necessary support and enablement for Applicants’ claimed subject matter in a manner consistent with 35 U.S.C. § 112, first paragraph. Accordingly, Applicants respectfully submit that the Examiner officially acknowledge Applicants’ claim for foreign priority and receipt of the certified copy of the priority document in the next Official communication.

In the Official Action, the claims, i.e., claims 1-9, were objected to due to informalities. Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants’ Admitted Prior Art (AAPA) in view of SHAMOON et al. (U.S. Patent No. 7,233,948 B1). Claims 1 and 3 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over ISMA (ISMA – Releases Content Protection Specification for Peer Review, Business Wire, March 31, 2003) in view of RAMBHIA (U.S. Patent Application Publication No. 2002/0156712 A1).

Upon entry of the amendment, claims 1-9 have been amended. Claims 1-9 are currently pending for consideration by the Examiner.

Claims 1-9 were objected to due to informalities, as noted above. More particularly, the Official Action asserts that certain acronyms contained in the claims are not defined within the claims. By the present response, the claims have been amended to define the various undefined acronyms contained therein. Accordingly, Applicants respectfully request that the objection to claims 1-9 be withdrawn.

Claims 1-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants’ Admitted Prior Art (AAPA) in view of SHAMOON. With regard to independent

claims 1 and 3, the Official Action asserts that Applicants' "Background Art" section of the specification generally discloses an ISMA media stream subjected to MPEG-4 IPMP extension, wherein the transmitted ISMA media stream includes an ISMA header and contents as a payload. The Official Action acknowledges that the "Background Art" section does not disclose the IPMP tool list descriptor portion of claims 1 and 3. However, the Examiner asserts that SHAMOON discloses these features.

Claims 1 and 3 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over ISMA in view of RAMBIIA. The Official Action asserts that ISMA discloses a device that transmits an ISMA media stream having an ISMA header and contents as a payload. The Official Action acknowledges that ISMA fails to disclose an IPMP tool list descriptor as recited in the claims. However, the Official Action asserts that RAMBIHA discloses this feature.

Amended independent claims 1 and 3 each recite that *the ISMA media stream includes a plurality of payloads, wherein the header of the ISMA media stream includes an IPMP tool list descriptor and a plurality of IPMP descriptors, where each IPMP descriptor corresponds to one of the plurality of payloads, and wherein at least one IPMP descriptor is different from another IPMP descriptor of the plurality of IPMP descriptors.* (emphasis added)

Applicants submit that neither Applicants' Admitted Prior Art, SHAMOON, nor the combination thereof disclose, teach, or render obvious at least these features recited in the combinations of amended independent claims 1 and 3. Applicants also submit that neither ISMA, RAMBIIA, nor the combination thereof, disclose, teach, or render obvious, at least these features recited in the combinations of amended independent claims 1 and 3. Additionally, Applicants submit that claims 2 and 7-9, which depend upon amended independent claim 1, and claims 4-6, which depend upon amended independent claim 3, are patentable for at least the

reasons discusses above regarding independent claims 1 and 3, and further for the additional features recited therein. Accordingly, Applicants respectfully request that the rejection of claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art (AAPA) in view of SHAMOON, and the rejection of claims 1 and 3 under 35 U.S.C. § 103(a) as being unpatentable over ISMA in view of RAMBHIA be withdrawn.

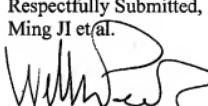
SUMMARY

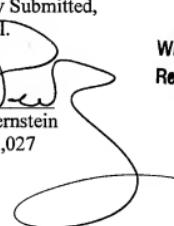
From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested, and an indication of allowance of claims 1-9 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
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